



IT Procurement: Contingent Labor Services via Staff Augmentation

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Table of Contents

| | |
|------------------------|---|
| I | Purpose |
| II | Policy: General |
| III | Policy: IT contingent labor tenure |
| IV | Policy: IT contingent labor requisition approval |
| V | Policy: IT contingent labor salary increase |
| VI | Policy: IT contingent labor expense reimbursement |
| VII | Policy: IT contingent labor independent contractor |
| VIII | Policy: IT contingent labor rehire of former full time employee (FTE) |
| IX | Policy: IT contingent labor supplier evaluation |
| Authority Reference(s) | |

- I. **Purpose.** This document covers policies for procuring information technology (IT) contingent labor staff augmentation services. All executive branch agencies and non-exempt institutions of higher education are subject to these policies, except those agencies and institutions explicitly exempted by the *Code of Virginia*. The purpose of these IT contingent labor staff augmentation policies include:
- providing a common acquisition process for agencies to obtain IT staff augmentation through a managed service provider program,
 - providing improved and standardized IT job descriptions and bill rates to reduce costs to the Commonwealth.

Policies- What you need to do

II. **General**

§ 2.2-2010 of the *Code of Virginia* requires the Virginia Information Technology Agencies (VITA) to: "Develop and adopt policies, standards, and guidelines for the procurement of information technology and telecommunications goods and services of every description for state agencies." As directed by § 2.2-2012 of the *Code of Virginia* VITA has established a "Mandatory Use" contract for the procurement of IT-related contingent labor for use by all executive branch agencies and institutions of higher education that are not exempt from, but subject to, VITA's IT procurement authority. Executive branch agencies and non-exempt institutions do not have authority to sponsor, conduct or administer an IT contingent labor procurement arrangement unless such authority is delegated by VITA. Authorized users for this contract include all public bodies, including VITA, as defined by §2.2-4301 and referenced by §2.2-4304 of the *Code of Virginia*.

III. **IT contingent labor tenure policy**

Agencies are expected to establish appropriate tenure policies and practices to minimize the risk of co-employment to their agency and to the Commonwealth. Agencies should consult with their internal HR departments and DHRM.

IV. **IT contingent labor requisition approval policy**

Requisition approval is in accordance with the agency approval process.

V. **IT contingent labor rate increase policy**

Rates are based on contractual rate card and no individual increases are allowed.

VI. **Expense reimbursement policy**

DOA guidelines must be followed for all expense reimbursements and must receive prior authorization by the agency.

VII. **Independent contractor policy**

Any independent contractor utilized on an assignment with the Commonwealth of Virginia must have their 1099 status confirmed by the managed service provider (MSP). Approval must be granted prior to the start of the assignment.

VIII. **IT contingent labor rehire of former full time employee (FTE) policy**

- Former employees are eligible for engagement as a staff augmentation contractor after they have left state employment for a minimum of 30 days.
- The MSP verifies with the Department of Human Resource Management (DHRM) if the former employee is eligible for return.

IX. **IT contingent labor supplier evaluation policy**

- Using agencies are required to provide feedback on the program and customer satisfaction to MSP

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| Authority Reference(s) |
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§ 2.2-2010 of the *Code of Virginia*; Directs VITA to develop policies, standards and guidelines for the procurement of IT goods and services.

§2.2-2012 of the *Code of Virginia*; Directs that information technology and telecommunications goods and services of every description shall be procured by (i) VITA for its own benefit or on behalf of other state agencies and institutions or (ii) such other agencies or institutions to the extent authorized by VITA.